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IFW (Modified) PTO/SB/21 (6-98)  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/ 714,817

Filing Date

November 17, 2003

First Named Inventor

Phillip A. Patten

Group Art Unit

1646

Examiner Name

Janet L. Andres

Attorney Docket Number

0269us310

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

- Form PTO/SB08A-B (2 pp.)
- Copy of ISR (3 pp.) and Written Opinion (5 pp.) from PCT/US03/36682
- 27 cited references (AH-BH)
- Postcard

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Joanne R. Petithory Maxygen, Inc. Reg. No. 42,995

Signature

*Joanne R. Petithory*

Date

Dec. 16, 2004

## Certificate of Mailing under 37 C.F.R. §1.8

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On December 16, 2004

By: C. Ann Massey  
C. Ann Massey

Attorney Docket No. 0269us310

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Phillip A. Patten, *et al.*

Examiner: Andres, Janet L.

Application No: 10/714,817

Art Unit: 1646

Filed: November 17, 2003

For: Interferon-Alpha Polypeptides  
and Conjugates

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached form PTO/SB/08A-B are being called to the attention of the Examiner. Copies of cited references AH-BH are enclosed. Since this application was filed after June 30, 2003, copies of the cited US patents and US published applications (references AA-AG) are not provided herein, pursuant to MPEP § 609 III A(2).


Also enclosed are copies of the International Search Report and the International Preliminary Examination Report for corresponding International Application No. PCT/US03/36682.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicants believe that no fee is required for submission of this statement, since it is being submitted prior to the mailing of a first office action on the merits in this application. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0990. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

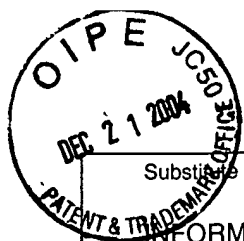
Respectfully submitted,

  
Joanne R. Petithory, Ph.D.  
Reg. No. 42,995

December 16, 2004

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Substitute for form 1449A-B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Complete if Known</b>	
	Application Number	10/714,817
	Filing Date / 371(c) date	Nov. 17, 2003
	First Named Inventor	Phillip A. Patten
	Group Art Unit	1646
	Examiner Name	Andres, Janet L
	Attorney Docket Number	0269us310

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			
	AA	4,414,150		Goeddel D.	11-08-1983	
	AB	4,885,166		Meyer, F. <i>et al.</i>	12-05-1989	
	AC	4,695,623		Stabinsky	09-22-1987	
	AD	4,885,166		Meyer, F. <i>et al.</i>	12-05-1989	
	AE	5,985,262		Kinstler, O. <i>et al.</i>	11-16-1999	
	AF	6,610,830	B1	Goeddel D. <i>et al.</i>	08-26-2003	
	AG	20040002474	A1	Heinrichs, V. <i>et al.</i>	01-01-2004	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	AH	EP	0 051 873	A2	Genentech, Inc.	05-19-1982		
	AI	EP	0 205 404	A2	Ciba-Geigy AG	12-17-1986		
	AJ	EP	0 422 697	A1	Amgen, Inc.	04-17-1991		
	AK	EP	0 809 996	A2	F. Hoffmann-La Roche AG	12-03-1997		
	AL	EP	0 911 033	A2	Amgen, Inc.	04-28-1999		
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	AN	WO	83/02461	A1	Cetus Corp.	07-21-1983		
	AO	WO	92/06707	A1	Amgen, Inc.	04-30-1992		
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	AQ	WO	99/03887	A1	Bolder Biotechnology, Inc	01-28-1999		
	AR	WO	00/42175	A1	Bolder Biotechnology, Inc	07-20-2000		
	AS	WO	01/25438	A2	Maxygen, Inc.	04-12-2001		
	AT	WO	01/87925	A2	Bolder Biotechnology, Inc	11-22-2001		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	First Named Inventor	Phillip A. Patten
	Group Art Unit	1646
	Examiner Name	Andres, Janet L
	Attorney Docket Number	0269us310

OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	AU	ALLEN G., DIAZ M.O. (1996) Nomenclature of the human interferon proteins. J. Interferon Cytokine Res. 1996 Feb;16(2):181-184.	
	AV	ALTON, K. <i>et al.</i> (1983) Production, characterization and biological effects of recombinant DNA derived IFN- $\alpha$ and IFN- $\gamma$ analogs. <i>in</i> The Biology of the Interferon System, 1983, eds. E. DeMaeyer and H. Schellekens, Elsevier Science Publications pp. 119-128.	
	AW	ALTROCK B.W., <i>et al.</i> (1986) Antiviral and antitumor effects of a human interferon analog, IFN-alpha Con1, assessed in hamsters. J Interferon Res. 1986 Aug;6(4):405-415.	
	AX	BLATT L.M., <i>et al.</i> (1996) The biologic activity and molecular characterization of a novel synthetic interferon-alpha species, consensus interferon. J Interferon Cytokine Res. 1996 Jul;16(7):489-499.	
	AY	CHANG C.C., <i>et al.</i> (1999) Evolution of a cytokine using DNA family shuffling. Nat Biotechnol. 1999 Aug;17(8):793-797.	
	AZ	CHEETHAM B.F., <i>et al.</i> (1991) Structure-function studies of human interferons-alpha: enhanced activity on human and murine cells. Antiviral Res. 1991 Jan;15(1):27-39.	
	BA	DIAZ M.O., <i>et al.</i> (1996) Nomenclature of the human interferon genes. J Interferon Cytokine Res. 1996 Feb;16(2):179-80.	
	BB	FISH E.N., <i>et al.</i> (1989) The role of three domains in the biological activity of human interferon-alpha. J Interferon Res. 1989 Feb;9(1):97-114.	
	BC	FOSER S, <i>et al.</i> (2003) Isolation, structural characterization, and antiviral activity of positional isomers of monopegylated interferon alpha-2a (PEGASYS). Protein Expr Purif. 2003 Jul;30(1):78-87.	
	BD	GANGEMI J.D., <i>et al.</i> (1989) Significant differences in therapeutic responses to a human interferon-alpha B/D hybrid in Rauscher or Friend murine leukemia virus infections. J Interferon Res. 1989 Jun;9(3):275-283.	
	BE	HENCO K., <i>et al.</i> (1985) Structural relationship of human interferon alpha genes and pseudogenes. J Mol Biol. 1985 Sep 20;185(2):227-260.	
	BF	MEISTER A., <i>et al.</i> (1986) Biological activities and receptor binding of two human recombinant interferons and their hybrids. J Gen Virol. 1986 Aug; 67 (Pt 8):1633-1643.	
	BG	OZES O.N., <i>et al.</i> (1992) A comparison of interferon-Con1 with natural recombinant interferons-alpha: antiviral, antiproliferative, and natural killer-inducing activities. J Interferon Res. 1992 Feb;12(1):55-59.	
	BH	WECK P.K., <i>et al.</i> (1981) Antiviral activities of hybrids of two major human leukocyte interferons. Nucleic Acids Res. 1981 Nov 25;9(22):6153-66.	

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